



सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की

खण्ड-22] रुड़की, शनिवार, दिनांक 20 फरवरी, 2021 ई० (फाल्गुन 01, 1942 शक सम्वत्) [संख्या-08

विषय-सूची

प्रत्येक भाग के पृष्ठ अलग-अलग दिये गए हैं, जिससे उनके अलग-अलग खण्ड बन सकें

विषय	पृष्ठ संख्या	वार्षिक चन्दा
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भाग 6-बिल, जो भारतीय संसद में प्रस्तुत किए गए या प्रस्तुत किए जाने से पहले प्रकाशित किए गए तथा सिलेक्ट कमेटीयों की रिपोर्ट ...	—	975
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भाग 1

विज्ञप्ति-अवकाश, नियुक्ति, स्थान-नियुक्ति, स्थानान्तरण, अधिकार और दूसरे वैयक्तिक नोटिस

राजस्व परिषद्, उत्तराखण्ड

शुद्धि पत्र

10 फरवरी, 2021 ई0

संख्या 10554/IV-18/2020-राजस्व परिषद्, उत्तराखण्ड की अधिसूचना संख्या 7644/IV-18/2020 दिनांक 05 सितम्बर, 2020 द्वारा प्रख्यापित "उत्तराखण्ड आबादी सर्वेक्षण और अभिलेख संक्रिया नियमावली, 2020" के हिन्दी पाठ में :-

- (1) पृष्ठ 1 के शीर्ष पर "अधिसूचना" शब्द रखा जायेगा;
- (2) नियम 4(1) की द्वितीय पंक्ति में "ऐसी" शब्द का लोप किया जायेगा;
- (3) नियम 5 के शीर्षक में "बैठक" शब्द के पश्चात् "का" शब्द अन्तःस्थापित किया जायेगा;
- (4) नियम 7(3) की द्वितीय पंक्ति में "परिशिष्ट-2" शब्द, चिह्न और अंकों के स्थान पर "परिशिष्ट-II" शब्द, चिह्न और अंक रखे जायेंगे;
- (5) नियम 9 की द्वितीय पंक्ति में "फोटो" के स्थान पर "चित्र" एवं छठी पंक्ति में "यह" के स्थान पर "इस" एवं "भू-मानचित्र" के स्थान पर "भू-मानचित्र-I" शब्द रखे जायेंगे;
- (6) नियम 16(1) की प्रथम पंक्ति में "इसके बाद" एवं तेरहवीं पंक्ति में "प्रमित" शब्द का लोप किया जायेगा;
- (7) नियम 16(2) की प्रथम एवं पंचम पंक्ति में "वादों" शब्द के स्थान पर "विवादों/वादों" शब्द रखे जायेंगे;
- (8) नियम 17 के शीर्षक में "की" शब्द के स्थान पर "अपनायी" शब्द रखा जायेगा;
- (9) नियम 17(3) की चतुर्थ एवं पंचम पंक्ति में "जिसका आदेश धारा 219 के उपबंधों के अधीन रहते हुए अंतिम होगा" शब्दों का लोप किया जायेगा;
- (10) नियम 25 के ऊपर शीर्षक "अध्याय-6" रखा जायेगा;
- (11) परिशिष्ट-I पर सम्बन्धित अधिसूचना के प्रपत्र में "की उपधारा (2)" शब्द, चिह्न और अंकों का लोप किया जायेगा।

बी0एम0 मिश्र,

आयुक्त एवं सचिव।

In pursuance of the provisions of Clause (3) of Article 348 of the "Constitution of India", the Governor is pleased to order the publication of the following English translation of Notification **No. 7644/IV-18/2020**, dated September 05, 2020 for general information.

BOARD OF REVENUE, UTTARAKHAND

NOTIFICATION

February 10, 2021

No. 10555/IV-18—In exercise of the powers under clause (b), (e) and (f) of sub-section (1) of section 234 of the U.P. Land Revenue Act, 1901 read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act no. 1 of 1904), the Board of Revenue, Uttarakhand hereby makes the following rules with the previous sanction of the State Government;

The Uttarakhand Abadi Survey and Record Operation Rules, 2020

Chapter-I

Preliminary

Short title and commencement

1. (1) These rules may be called the Uttarakhand Abadi Survey and Record Operation Rules, 2020.
- (2) It shall come into force from the date of publication in the official gazette.

Definitions

2. In these rules, unless there is something repugnant in the subject or context.
 - (a) "abadi" or "rural abadi" means such area which is recorded or reserved for the purpose of abadi in the land map of abadi in the last settlement or consolidation settlement;
 - (b) "survey form" means forms appended in the Appendix-I of these rules;
 - (c) "Act" means the Uttar Pradesh Land Revenue Act, 1901;
 - (d) "abadi plot" means such plot which is recorded or reserved

in the Record of Rights and mentioned in map prepared and preserved for abadi purpose under the provisions of Uttar Pradesh Land Revenue Act, 1901;

- (e) 'plot' means the abadi plot displayed in land map prepared after the survey of area determined for the Abadi purpose;
- (f) 'Rules' means the rule mentioned in these rules;
- (g) 'section' means the section mentioned in Uttar Pradesh Land Revenue Act, 1901;
- (h) 'survey plot' means the plot recorded in records of rights and map prepared and preserved under the provision of Uttar Pradesh Land Revenue Act, 1901;
- (i) 'Record Officer' means collector of district and 'Assistant Record officer Sub Divisional Magistrate of the concerned tehsil, unless any other officer designated as Record Officer or Assistant Record Officer by the State Government under section 49 of the Act.
- (j) 'Board' means the Board of Revenue
- (k) 'technical agency' means the agency nominated by the State Government for survey work.

**Publication of 3.
notification for
survey and
record
operation**

- (1) The Board may, on demand made by the State Government for the survey of abadi and record operation in any district or local area or village abadi in the State under section 48 of the Uttar Pradesh Land Revenue Act, 1901 or send proposal of general or special notification to the State Government.
- (2) The State Government on receiving proposal from the Board or otherwise if considers that the general or partial survey and record operation of Abadi of any district or other local area or village Abadi or of both shall be done, it shall publish the notification in survey form no-1, under section 48 of the Uttar Pradesh Land Revenue Act, 1901.

(3) The notification to be issued by the Government under section 48 of the Act shall be published in the following manner, namely.

- (1) In official Gazeete;
- (2) In the offices of District Magistrates/District Record Officer, Assistant Record Officer and concerned Sub-Divisional Magistrate;
- (3) Shall be uploaded on the website of the Government and Board of Revenue ;
- (4) In the affected area in such manner as may be prescribed by the Board.

Proceedings to 4.
be done after
issuance of
notification

(1) On the issuance of notification for survey and record operation, a network of reference points for G.I.S mapping by modern technique/techniques for survey shall be established by the technical agency authorised by the Government.

(2) The Collector/District Record officer after the notification of survey of abadi and record operation, issued by the State Government, shall issue the notice of program regarding the survey to be done in the villages of his district in survey form no. 2 and shall made available the updated revenue record, and other records (one set of Khatuni, Khasra, map and Zild Bandobast (settlement file) etc if available) of related village to the concerned Assistant Record Officer. The Assistant Record Officer, by making coordination with the nominated officers of technical agency and officers of other departments shall inform the concerned by mentioning the activities of survey program and the time to be involved.

(3) Appropriate action shall be taken by the technical agency, determining the place in the selected groupwise village or local bodies for abadi survey .

Determination 5.
of survey and
meeting date

(1) The Assistant Record Officer shall determine the phased dates of survey activities in every village or local bodes

and shall inform the Panchayatiraj Department, the concerned technical agency and the officer of other concerned department for knowledge of these activities.

- (2) The meetings of Gram Sabha or local body shall be organized in respected villages/ local bodies in the direction of the officers of the concerned department. The information of conveying the meeting shall be given to villagers atleast one week before in survey form no-3. The information of meetings shall also be given to the concerned Station Officer (Police Inspector)
- (3) In the meeting, manner of survey, survey activities and its procedure and the benefit from survey shall be informed to the villagers. Wide dissemination of survey shall also be made in the area.

**Constitution of 6.
survey teams**

- (1) The Assistant Records Officer shall constitute survey teams for the survey of village or local body, as per necessity in which the Lekpal, Village Panchayat Officer/Village Development Officer of respected village or local area shall essentially and the employees of other department shall also be included as per necessity.
- (2) Every team shall do survey work in stipulated time in the allotted village or local body as prescribed by the assistant records officer.
- (3) Under the control of Assistant Records Officer, the Survey Kanongo, with the records provided by the Assistant Records Officer, team constituted by him and with the coordination of the team nominated by the technical agency shall with modern technique do survey work of abadi area of the village.
- (4) The supervision of the work of the team constituted by the Assistant Records Officers shall be done by the concerned Nayab Tahisldar/Tahsildar.

Chapter-2

Survey work

Survey and manner of demarcation

7. (1) Firstly, the plot/boundaris of plots displayed in the land maps of the last settlement or consolidation settlement of village or local area shall be marked on the spot by the survey team. The boundary of abadi area shall be marked by putting lime (chuna) or any other method.
- (2) The survey of every abadi plot shall be done in the asending order. The measurement shall be done by the State Government or through technical agency by modern survey method and machines with the prior approval as the State Government.
- (3) The survey team constitute by the Assistant Records Officer shall examine the structure of abadi categories and sub-categories of abadi area of village or local body according to Annexure II and will see that which place is vacant and the determination of the boundary is not physically seen, and shall mark its boundary by lime line or any other method with the help of Gram Panchayet / Bhumi Prabandhak Samiti (Land Management Committee). The determination /demarcation of the boundaries of survey land / survey area/structure shall be made in the following manner --
 - (a) by partition of joint vacant properties.
 - (b) by determining the courtyard boundary of the house of a particular person
 - (c) by determining ends/ corners of drains after the courtyard.
 - (d) by determining boundaries of road, lane, ways etc.
 - (e) by marking of pillars, transformers, handpumps, well etc.
 - (f) by marking land of water/ gas pipe line, electricity line, sewer line, railway line etc.
 - (g) by determining the boundaries of lands adjacent to public places, temples, Devstathan, Mosque, Gurudwara etc.
 - (h) by determining the boundaries of plots invisible by trees/sheds/buildings, in aerial survey.

- (i) by determining the boundary of any vacant land of any other government/private /community .
- (4) The work of lime lining/markings of boundary of the boundary of land properties shall be generally tried to be completed within 05 days.
- (5) After demarcation or marking all the place of the abadi area of village or local body, by the timeline, the officer appointed for this work by Nayab Tahsildar/ Tahsildar or Assistant Records Officer shall give information to Assistant Records Officer, technical agency, officer of other concerned department and concerned Station Officer (Police Inspector) one day before the date of survey for the village or local body ready for survey.

Deployment of 8.
team for
assistance of
survey work

- (1) On the date fixed for survey, the desired information and photograph of the abadi area of the village or local body shall be taken by the officers of technical agency by modern techniques through aerial inspection etc. The survey team shall also be with every technical team and shall keep watchful eye so that no person shall destroy the lime line/ border mark. At the time of survey process, necessary police force shall be deployed for the assistance of technical and survey team.
- (2) The team appointed by the Assistant Records Officer shall present in village or local body during survey and shall keep watchful eye so that no person shall destroy lime line/ border mark.

Preparation of 9.
survey map

The picture of abadi area taken for survey by the technical agency by modern technique and on the basis of digital information, such initial survey map per government necessity shall be prepared from the data in which, longitude and latitude of every plot or structure is fixed according to sub-rule (3) of rule 7 on the basis of geostatic system. The copy of this initial survey land map-I shall be provided by the technical agency to Assistant Record Officer.

Chapter III**Preparation of the records****Numbering of 10.
the plots**

- (1) In the initial survey land map-1 the every plot of abadi area shall be numbered in order, which shall begin from north west and end in south east. The initial property record survey form no-4 shall be prepared on the basis of the numbers of these abadi plots.
- (2) In the case of partition of the numbered plot in future, it shall be numbered in the fraction and partition shall also be displayed in the map.

**Verification of 11.
land-map**

- (1) The facts mentioned in initial property record survey form no. 4 shall be included in the land map by the technical agency, thereafter the revised survey land-map-2 shall be made available to the Assistant Record Officer.
- (2) The complete verification of initial property record and survey land-map-2 shall be done by the survey kanongo by gathering more and more residents and Gram Pradhan in their presence by reading the records and by explaining the every entry of the said record to the owner of the respective property. (The entry of identified errors and disputes or the claim made shall be made in the error and dispute list of survey form-5)

The survey Nayab Tahsildar shall also examine upto 25 percent related entries of the initial property record and shall verify it from relevant records.

**Inspection of 12.
the property**

After the verification as prescribed in rule,11, the Survey Kanongo as far possible by gathering Gram Pradhan and more and more property owners and other residents of village shall inspect every property at the spot, in their presence.

(The entry of identified errors and disputes or claim made shall be made in the error and dispute list of survey form-5)

**Rectification of 13.
errors by the**

- (1) In the records of survey form-5 the list of errors and

**survey Nayab
Tahsildar**

dispute shall be made in two parts. In part-I clerical errors and in part-II the other errors and disputes found during inspection of properties and verification shall be included.

(2) The Survey Nayab Tahsildar shall also examine upto 25 percent of entry of examination of property entered in errors and dispute list. The Assistant Records Officer shall also examine the sufficient numbers of entries to ensure the correctness made in the records.

(3) The Survey Nayab Tahsildar after considering the previous land records of the village shall for rectification of clerical errors in the part-I of the survey form 5, wherever necessary pass an order under his signature.

**Issuing
notice**

of 14.

- (1) The Survey Lekhpal shall prepare notice, regarding all properties in survey form-6 for the property owner/holder. The Survey Kanango shall examine all notice and minimum 25 percent of notices shall be examined by Survey Nayab Tahsildar for the purpose to ensure its correction.
- (2) For every property, the record receipt alongwith notice shall be issued to the concerned property owner/holder under the signature of Survey Nayab Tehsildar.
- (3) The copy of notice and service of record receipt shall be kept in survey form-7.
- (4) The notices of lands regarding Government departments shall be given to the Head of departments of the district offices. The notices regarding the land related or vested in the Gram Sabha or any local authority, as the case may be sent to the Pradhan of Gram Sabha or to the office Head of the local authority.
- (5) Any property owner/holder or any other person, aggrieved from the entry in any account, may file its objection in writing to the Survey Nayab Tehsildar, within 21 days of the service of notice mentioning the ground of objection.
- (6) The office copies of the notices issued shall be kept in

general file for such time until it are made part of separate files.

Entry of the objections

15. The entries of the objections received against the entries of the records receipt shall be made in survey form-8 in misilband register.

Procedure of investigation by the Survey Nayab Tahsildar

16. (1) The Survey Nayab Tahsildar, regarding disputes and claim and objection (other than clerical errors) received on the entries made in the property records, if any shall begin investigation from that village. He while making decision on disputes, on the basis of conciliation under section 54 shall, record the conditions of conciliation in relevant column of errors and dispute list in survey form 5 in presence of minimum two members of Bhumi Prabandhak Samiti or two eminent persons/ Gram Pradhan. The said conditions shall be read out to concerned parties and their signature/ thumb impression shall be taken. The members of Bhumi prabandhak Samiti presented or abovesaid person shall also sign on the conditions of the conciliation. Thereafter, the Survey Nayab Tahsildar by specifying the entries shall record the orders of decisions of the disputes on conciliation conditions in relevant column of survey form-5. No ex-parte order in absence of evidence shall be passed in relation to the land vested in the State Government or Gram Sabha, by the Survey Nayab Tahsildar.

(2) Such disputes/ suits which cannot be disposed by the Survey Nayab Tahsildar on the conditions of conciliation according to sub-rule (1) shall be referred to Assistant Record Officer for disposal. While doing so, the Survey Nayab Tahsildar may fix the date and place for the disposal of such dispute/ suit by the Assistant Records Officer and may give information to the related parties presented before him and may issue the notice to the parties not present.

The procedure to be adopted by the Assistant Record Officer

17. (1) The entry of suits received from the Survey Nayab Tahsildar shall be made in misilband register in survey form 8 kept in the office of the Assistant Records Office.
- (2) On the date fixed under sub rule (2) of rule 16 or the subsequent date for this purpose, the Assistant Record Officer shall hear the parties and decide the objections.
- (3) Any person who is aggrieved from the order Survey Nayab Tehsildar under sub-rule (1) of rule 16, may within twenty one days from the order, present appeal before the Assistant Records Officer.
- (4) Any person who is aggrieved from the order of Assistant Record Officer under sub-rule (2), may, within thirty days of the order present appeal before the Record Officer under section 210 of the Act.

Chapter IV

Publication of the records

Mention of orders by the Survey Lekhpal and examination of revised record entries by the Kanongo/ Nayab Tahsildar

18. (1) The Survey Lekhpal shall mention the orders of Survey Nayab Tahsildar, Assistant Record Officer and Record Officer in initial property record survey form no-4.
- (2) By the help of records prepared by the Survey Lekhpal, the clean writing/ typewriting of revised record shall be made in form-9. The Survey Kanongo shall examine hundred percent and the Survey Nayab Tahsildar twenty five percent of these entries. The Assistant Record Officer shall also examine the five percent entries.

Determination of unique code for plots

19. In final property record (survey form no. 9), for determining the unique code of plots firstly six digit code determined for every revenue village shall be kept, thereafter five digits of plot number of abadi, two digits for partition of plot and in the last determination of one digit for abadi category and two digits for sub-category, a sixteen digits code shall be determined as follows-

for example-

- (a) Revenue village code- Six digit code for every revenue villages of the State is determined, as 213568.

- (b) Abadi plot number-, in every village/ local body area considering maximum 99,999 plots, according to the number of plots five digit code shall be determined as 00125.
- (c) Sub-partition number- consideration maximum 99 in case of partition in future, two digit code determined, as 02. .
- (d) Abadi category code- One digit code has been determined for abadi category according to Appendix-II the code of abadi category is fixed as 1,2,3,4-----9 number of the land of every village/ local body on the basis of the ownership.
- (e) For abadi sub-category - The land of abadi category has been fixed number 01,02,03 upto 9 on the basis of their utility. if on the basis of utility, no any sub-category is found any nature of abadi place, the next 02 digits is sub-category shall be determined by the Board.
- (f) As above said, unique abadi code of 16 digits shall be determined - as 213568- 00125- 02-1-01.

Preparation of 20.
landmap-3

- (1) The survey land map-3 with latitude and longitude based on geological system including the arrangement of time stamping and updating of all types of structure of abadi categories and sub-categories shown in Appendix-II, based on the ownership and use of abadi land in Residential Rights Records survey form-9 shall be prepared.
- (2) After the examination and rectification of map, if necessary it shall be carefully traced, matched and examined and then it shall be signed with date by the Record Officer or Assistant Record Officer, the designation of it shall be written as such below his signature. This map shall be called as survey land -map-3.

Keeping and 21.
preservation of
the copies

- 21. The records prepared in accordance with to the foregoing rules may be called operational book. One copy each of it shall be accumulated in the record room of Collector, lekhpal, Gram Panchayat Office, record room of Board of Revenue at State level and Directorate of Panchayat. Initial property record form-4 shall also be accumulated in the record room of the collector. Its soft copy shall be preserved by the NIC.

- Submission of final report to the Board** 22. After the completion of survey and record operation in district or any part of district, the final report with land map shall be submitted to the Board, by the Assistant Record Officer through Record Officer. In the report, all relevant subjects related to operation viz purpose of operation, brief detail of land, manner applied, number of villages, included area and plot, time taken, difficulties which arises and other particular matters shall be clearly and concisely mentioned.
- Issuance of notification by the State Government** 23. On the recommendations of the Board, the State Government may issue notification under section 48, in which declaration of closing operation shall be made. After the issuance of this notification the work related to upkeep the land records shall be transferred to the Collector of the district.

Chapter V

Update of the records

- Computerization of the records and manner of providing copies** 24. (1) The property records prepared under these rules shall be computerized with pre-approval of the State Government.
- (2) A portal shall be developed for providing the computerized property records.
- (3) The operation, maintenance and data entry of the portal shall be done by such department of the State Government, who it authorise.
- (4) The copies of the extracts of computerized property records shall be provided to public on the payment of prescribed fee, by the Board, from the Panchayat offices, Tahsil office or Jan Suvidha Kendra, as prescribed by the State Government.
- (5) Online or offline arrangement shall be ensured by the concerned department for distribution of copies.

Chapter VI

Mutation of abadi property

- Mutation of abadi property and manner of getting relief** 25. (1) The orders passed by the competent court regarding the mutation of abadi properties by sale, donation, bequest exchange etc (excluding undisputed succession) or in any

other manner shall be complied in computerized property records (survey form no-9) by the Assistant Records Officer and in survey land map-3 by the District Records Officer.

- (2) After the completion of the survey and record process of abadi or rural abadi, the notification of the relevant village or local body to be excluded from the survey and records process, if any dispute or settlement is made after the issuance of notification from the Government, then the concerned party may get relief from the competent court. The entry of the order of competent court shall be made in property records survey form-9 by the Assistant Records Officer and in survey land map form-3 by the District Records Officer.

Appendix -I
Abadi Form No. 1

rule-3

Government of Uttarakhand

Revenue Section

No /

Dehradun, dated:

Notification

In exercise of powers conferred by section 48 of the Uttar Pradesh Land Revenue Act, 1901, the Governor declares that the village----- Tehsil----- of District-----, mentioned in the Schedule below, shall be under the survey and records operation of the area abadi or village abadi from the date of the publication of this notification in the Gazette,

By order,

Secretary
Revenue Department.

Abadi Survey Form-2**Rule-4**

Notice by District Magistrate/ District Record Officer
Office of District Magistrate/ District Records Officer, District

Letter No.

Dated:

Notice regarding village Abadi Survey and records operation:

I District Magistrate/ District Records Officer, District----- in compliance of notification no.--
 ---- dated of Revenue Section -1 of the Government of Uttarakhand, orders to execute the work of
 abadi survey and records operations in district the villages annexed in the list at the time table
 mentioned below according to the section 48 under the ownership scheme of the Government of India.

District Magistrate/ Magistrate/ District Record Officer

Time – Table

Survey Activity	Duration
1- Publication of notice of survey work by the District Magistrate (District Record Officer).	
2- Constitution of survey committees by the District Magistrate (District Record Officer).	
3- Issuance of notice for the meetings of Gram Panchayat, by the Assistant Record Officer.	
4- Training villagers regarding scheme by organizing meetings of Gram Sabha.	
5- Marking the properties falling under the village abadi, by lime.	
6- Giving information of survey date by the modern technique (drone) to the villagers.	
7- Survey of village abadi area by modern technique (drone) by the survey department of India.	
8- Providing map of abadi area, by proceeding the figures on the basis of survey by the survey department of India.	
9- Preparation of initial property records on the basis of physical verification, under the direction of Assistant Record Officer.	
10- Inviting and disposal of objection on initial property records.	
11- preparation of property records after disposal of objections by the Assistant Record Officer.	

(District Magistrate/ District Records Officer)

Annexure -1**List of villages in district for abadi survey and records operation**

Serial No.	District	Tehsil	Village	code of revenue village .
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District Magistrate/ District Records Officer

Abadi Form No. 3**rule-5****General information of meeting of Gram Panchayat for abadi survey**

It is informed to general public that the abadi or village abadi survey of village/ local body----- Tehsil---- district----- shall be commenced from the date---- . For giving information of its activities and procedure, a meeting of gram sabha/ local body is conveyed on date--- at--- . It is requested to all villager to present at the fixed date, time and place--- to provide the active support for abadi survey and records operation.

Signature

secretary Gram panchayat

Signature

Chairman/ Gram Pradhan

Property Slip

Form-4

Rule-11

Village- LGD code- Block--- Pargna--- Tehsil---- District----

Original khasra No.	property no.	unique I.D. no. of the property	name of property holder, name and residence of father/ mother/ husband/ wife	category of property	sub category of property	area of property			part of property holder
						construction sqm	open sqm	total sqm	
1	2	3	4	5	6	7	8	9	10

site map	east boundary	west boundary	north boundary	south boundary	details of errors and disputs
11	12	13	14	15	16

Initial property record**Form-4**

rule-11

Village- LGD code- Block--- pargna--- Teasil---- District----

Original khasra No.	property no.	unique I.D. no. of the property	name of property holder, name and residence of father/ mother/ husband/ wife	category of property	sub category of property	area of property			part of property holder
						construction sqm	open sqm	total sqm	
1	2	3	4	5	6	7	8	9	10

site map	east boundary	west boundary	north boundary	south boundary	summary of orders	remarks
11	12	13	14	15	16	17

Form-5

rule-11 and 12

Village-

pargna---

Tehsil----

district----

original khasra no.	errors and dispute fraud during the examination and verification of property records sr.no./ description	orders of survey Nayab Tehsildar in the matter of clerical mistake in part-I	conditions of conciliation by parties in undisputed matters in part-I	orders of survey Nayab Tehsildar in undisputed matters in part-I	date of execution amaldaramad of the order of survey nayab tehsildar in property records	brief order of the direction oo Assistant Record Officer ex- partee in disputed matters	remark
Sruvey kanongo			survey nayab tehsildar				

Note:- This Form shall be prepared in two parts for every village. In part I, shall contain all clerical errors found in area and annual register and part II shall contain other errors and disputes.

Aabadi Survey Form-6**Rule-14****Notice with property slip**

The property slip of Shri----- S/o Shri R/o..... regards property at pargana---
----- Tehsil R/o----- district----- is annexed.

Please keep in mind that after hearing of the concerned parties, it is to decide all the disputes and properties in relation to the property and those permanent improvements if any. If you have any objection against any type or correction of this entry, than it shall be presented within twenty one days of receiving this notice. If no any objection is received within the stipulated time, it shall be presumed within the stipulated time, it shall be presumed that you don't want to file any objection against any entry and the orders shall be passed according to the law.

Given on date----- 2020 with my signature and office seal.

seal as the office

Survey Nayab Tehsildar

Circle—

Note- The notice with extract of property slip shall be issued to all property holders declaration.

Survey Form- 7**rule 14(3)**

Village--- pargana----- Tehsil----- District---

name . . of property holder, fathers name and residence	serial no. of notice with property records	total area of the property	total land revenue due
1	2	3	4

signature/ thumb impression of tenant of receiving notice	signature or thumbs impression of the witness	signature of the serving officer	remarks
5	6	7	8

Survey Form- 8

rule-15

Misilband Register

Tehsil----- District-----

sr-no.	village and pargana	name of the parties	details of matter	date of instruction
1	2	3	4	5

date of order	date of execution amldramad in property records	challan no. and date on which the file was sent to record room of the collection	if file is personally given to officer of records room his signature and date of giving	remarks
1	2	3	4	5

Village abadi ownership records

Form-9

Rule 18(2)

Village- LGD code- Block--- pargna--- Tehsil--- district---

Original khasra No.	property no.	unique I.D. no. of the property	name of property holder, name and residence of father/ mother/ husband/ wife	category of property	sub category of property	area of property			part of property holder
						construction sqm	open sqm	total sqm	
1	2	3	4	5	6	7	8	9	10

east boundary	west boundary	north boundary	south boundary	type of mutation	mutation		house tax	printed date	printed ID number
					No. of mutation	date of mutation			
11	12	13	14	15	15.1	15.2	16	17	18

place of issuing	QR code	digital signature of issuing officer	Remarks
19	20	21	22

Annexure II

sr. no.	Abadi category	Code	sub category	code
1	Private	1	Residential non-residential commercial plot	01 02 03 04
2	Government	2	School Hospital Railway water Tank Animal hospital post office patwari chowki police chowki Panchayat bhawan Aganbadi centre Bridge Tubewell Tahsil Road Transformer Electric pole Hand pump land of water/ Gas pipe line, electric line, sewer line etc other	01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20
3	Public	3	Way lane Well Pond/ johad Playing field Manure pits Grassland Religious place Khalihaan/ granary Land to plant tree Canal/drains Other	01 02 03 04 05 06 07 08 09 10 11 12

By Order,

B.M. MISHRA,

Commissioner and Secretary,
Board of Revenue, Uttarakhand.



सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 20 फरवरी, 2021 ई० (फाल्गुन 01, 1942 शक सम्वत्)

भाग 1—क

नियम, कार्य—विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

HIGH COURT OF UTTARAKHAND AT NAINITAL

NOTIFICATION

December 10, 2020

No. 260/UHC/Admin.A/2020--

High Court of Uttarakhand Video Conferencing Rules-2020

Preface

Whereas it is expedient to consolidate, unify and streamline the procedure relating to use of video conferencing for Courts; and

In exercise of its powers under Articles 225 and 227 of the Constitution of India, the High Court of Uttarakhand (with the approval of Government of Uttarakhand vide letter no. 344/XXXVI-A-1/2020-342/2020 dated 26.11.2020) makes the following Rules:

Chapter I – Preliminary

1. Short title and commencement-

- (i) These Rules shall be called the "High Court of Uttarakhand Video Conferencing Rules 2020".
- (ii) These Rules shall apply to such courts or proceedings or classes of courts or proceedings and on and from such date as the High Court may notify in this behalf.

2. Definitions

In these Rules, unless the context otherwise requires:

- (i) "Advocate" means and includes an advocate entered in any roll maintained under the provisions of the Advocates Act, 1961 and shall also include government pleaders/advocates and officers of the department of prosecution.
- (ii) "Commissioner" means a person appointed as commissioner under the provisions of Code of Civil Procedure, 1908, or the Code of Criminal Procedure, 1973 or any other law in force.
- (iii) "Coordinator" means a person nominated as coordinator under Rule 5.
- (iv) "Court" includes a physical court and a virtual Court or tribunal.
- (v) "Court Point" means the courtroom or one or more places where the Court is physically convened, or the place where a Commissioner or an inquiring officer holds proceedings pursuant to the directions of the Court.
- (vi) "Court User" means a user participating in court proceedings through video conferencing at a Court Point.
- (vii) "Designated Video Conferencing Software" means software provided by the High Court from time to time to conduct video conferencing.
- (viii) "Exceptional circumstances" include illustratively a pandemic, natural calamities, circumstances implicating law and order and matters relating to the safety of the accused and witnesses.
- (ix) "Remote Point" is a place where any person or persons are required to be present or appear through a video link.
- (x) "Remote User" means a user participating in court proceedings through video conferencing at a Remote Point.
- (xi) "Required Person" includes:
 - a. the person who is to be examined; or
 - b. the person in whose presence certain proceedings are to be recorded or conducted; or
 - c. an Advocate or a party in person who intends to examine a witness; or
 - d. any person who is required to make submissions before the Court; or
 - e. any other person who is permitted by the Court to appear through video conferencing.
- (xii) "Virtual Court" means and includes a Court conducted by way of Video Conferencing.
- (xiii) "Video Conferencing" means and includes a conference conducted through live link.
- (xiv) "Live Link" means and includes a live television link, audio-video electronic means or other arrangements whereby a witness, a required person or any other person permitted to remain present, while physically absent from the Courtroom is nevertheless virtually present in the Courtroom by remote communication using technology to give evidence and be cross-examined.
- (xv) "Rules" shall mean these Rules for Video Conferencing for Courts and any reference to a Rule, Sub-Rule or Schedule shall be a reference to a Rule, Sub-Rule or Schedule of these Rules.

Chapter II - General Principles**3. General Principles Governing Video Conferencing**

- (i) Video conferencing facilities may be used at all stages of judicial proceedings and proceedings conducted by the Court.
- (ii) All proceedings conducted by a Court by way of video conferencing shall be judicial proceedings and all the courtesies and protocols applicable to a physical court shall apply to these virtual proceedings.
- (iii) All relevant statutory provisions applicable to judicial proceedings including provisions of the CPC, CrPC, Contempt of Courts Act, 1971, Indian Evidence Act, 1872 (abbreviated hereafter as the Evidence Act), Oaths Act, 1969 and Information Technology Act, 2000 (abbreviated hereafter as the IT Act), shall apply to proceedings conducted by video conferencing.

- (iv) Subject to maintaining independence, impartiality and credibility of judicial proceedings and subject to such directions as the High Court may issue, Courts may adopt such technological advances as may become available from time to time.
- (v) The Rules as applicable to a Court shall mutatis mutandis apply to a Commissioner appointed by the Court to record evidence and to an inquiry officer conducting an inquiry.
- (vi) There shall be no unauthorised recording of the proceedings by any person or entity
- (vii) The person defined in Rule 2(xi) shall provide identity proof as recognised by the Government of India/State Government/Union Territory to the Court point coordinator via personal email. In case identity proof is not readily available the person concerned shall furnish the following personal details: name, parentage and permanent address, as also, temporary address if any.

4. Facilities recommended for Video Conferencing

The following equipment is recommended for conducting proceedings by video conferencing at the Court Point and at the Remote Point:

- (i) Desktop, Laptop, mobile devices with Internet connectivity and printer;
- (ii) Device ensuring uninterrupted power supply;
- (iii) Camera;
- (iv) Microphones and speakers;
- (v) Display unit;
- (vi) Document visualizer;
- (vii) Provision of a firewall;
- (viii) Adequate seating arrangements ensuring privacy;
- (ix) Adequate lighting; and
- (x) Availability of a quiet and secure space

5. Preparatory Arrangements

- 5.1. There shall be a Coordinator both at the Court Point and at the Remote Point. However, Coordinator may be required at the Remote Point only when a witness or an accused is to be examined.
- 5.2. In the civil and criminal Courts falling within the purview of the district judiciary, persons nominated by the High Court or the concerned District Judge, shall perform the functions of Coordinators at the Court Point as well as the Remote Point as provided in Rule 5.3.
- 5.3. The Coordinator at the Remote Point may be any of the following:

Sub Rule	Where the Advocate or Required Person is at the following Remote Point:-	The Remote Point Coordinator shall be:-
5.3.1	Overseas	An official of an Indian Consulate / the relevant Indian Embassy / the relevant High Commission of India.
5.3.2	Court of another state or union territory within the territory of India.	Any authorized official nominated by the concerned District Judge.
5.3.3	Mediation Centre or office of District Legal Services Authority (including Taluka Legal Services Committee).	Any authorized official nominated by the Chairperson or Secretary of the concerned District Legal Services Authority.
5.3.4	Jail or prison	The concerned Jail Superintendent or Officer in-charge of the prison.
5.3.5	Hospitals administered by the Central Government, the State Government or local bodies.	Medical Superintendent or an official authorized by them or the person in charge of the said hospital.

5.3.6	Observation Home, Special Home, Children's Home, Shelter Home, or any institution referred to as a child facility (collectively referred to as child facilities) and where the Required Person is a juvenile or a child or a person who is an inmate of such child facility.	The Superintendent or Officer in charge of that child facility or an official authorized by them.
5.3.7	Women's Rescue Homes, Protection Homes, Shelter Homes, Nari Niketans or any institution referred to as a women's facility (collectively referred to as women's facilities).	The Superintendent or Officers in-charge of the women's facility or an official authorized by them.
5.3.8	In custody, care or employment of any other government office, organization or institution (collectively referred to as institutional facilities).	The Superintendent or Officers in-charge of the institutional facility or an official authorized by them.
5.3.9	Forensic Science Lab	The Administrative officer in-charge or their nominee.
5.3.10	In case of any other location	The concerned Court may appoint any person deemed fit and proper who is ready and willing to render their services as a Coordinator to ensure that the proceedings are conducted in a fair, impartial and independent manner and according to the directions issued by the Court in that behalf.

5.4 When a Required Person is at any of the Remote Points mentioned in Sub Rules 5.3 and video conferencing facilities are not available at any of these places the concerned Court will formally request the District Judge, in whose jurisdiction the Remote Point is situated to appoint a Coordinator for and to provide a video conferencing facility from proximate and suitable Court premises.

5.5 The Coordinators at both the Court Point and Remote Point shall ensure that the recommended requirements set out in Rule 4 are complied with, so that the proceedings are conducted seamlessly.

5.6 The Coordinator at the Remote Point shall ensure that:

5.6.1 All Advocates and/or Required Persons scheduled to appear in a particular proceeding are ready at the Remote Point designated for video conferencing at least 30 minutes before the scheduled time.

5.6.2 No unauthorised recording device is used.

5.6.3 No unauthorised person enters the video conference room when the video conference is in progress.

5.6.4 The person being examined is not prompted, tutored, coaxed, induced or coerced in any manner by any person and that the person being examined does not refer to any document, script or device without the permission of the concerned Court during the course of examination.

5.6.5 At the end of the proceedings, the coordinator at the Remote Point shall give a certificate that the proceedings were conducted in accordance with these rules. The certificate shall be sent to the coordinator at the Court Point through email immediately after the proceedings and a hard copy of it duly signed by the coordinator at the remote point shall be sent to the Court Point within 24 hours.

5.7 Where the witness to be examined through video conferencing requires or if it is otherwise expedient to do so, the Court shall give sufficient notice in advance, setting out the schedule of video conferencing and in appropriate cases may transmit non-editable digital scanned copies of all or any part of the record of the proceedings to the official email account of the Coordinator of the concerned Remote Point designated in accordance with Rule 5.3.

- 5.8 Subject to the provisions for examination of witnesses contained in the Evidence Act, before the examination of the witness, the documents, if any, sought to be relied upon by any party shall be transmitted by such party to the witness, so that the witness acquires familiarity with the said documents, such party will file an acknowledgment with the Court in this behalf.
- 5.9 Before the scheduled video conferencing date, the Coordinator at the Court Point shall ensure that the Coordinator at the Remote Point receives documents certified copies, printouts or a soft copy of the non-editable scanned copies of all or any part of the record of proceedings which may be required for recording statements or evidence, or for reference. However, these shall be permitted to be used by the Required Person only with the permission of the Court.
- 5.10 Whenever required the Court shall order the Coordinator at the Remote Point or at the Court Point to provide –
- 5.10.1 A translator in case the person to be examined is not conversant with the official language of the Court.
- 5.10.2 An expert in sign languages in case the person to be examined is impaired in speech and/or hearing.
- 5.10.3 An interpreter or a special educator, as the case may be, in case a person to be examined is differently abled, either temporarily or permanently.

Chapter III - Procedure for Video Conferencing

6. Application for Appearance, Evidence and Submission by Video Conferencing:

- 6.1 Any party to the proceeding or witness, save and except where proceedings are initiated at the instance of the Court, may move a request for video conferencing. A party or witness seeking a video conferencing proceeding shall do so by making a request in the form prescribed in Schedule I.
- 6.2 Any proposal to move a request to for video conferencing should first be discussed with the other party or parties to the proceeding, except where it is not possible or inappropriate, for example in cases such as urgent applications.
- 6.3 On receipt of such a request and upon hearing all concerned persons, the Court will pass an appropriate order after ascertaining that the application is not filed with an intention to impede a fair trial or to delay the proceedings.
- 6.4 While allowing a request for video conferencing, the Court may also fix the schedule for convening the video conferencing.
- 6.5 In case the video conferencing event is convened for making oral submissions, the order may require the Advocate or party in person to submit written arguments and precedents, if any, in advance on the official email ID of the concerned Court.

7. Service of Summons

- 7.1 Summons issued to a witness who is to be examined through video conferencing, shall mention the date, time and venue of the concerned Remote Point and shall direct the witness to attend in person along with proof of identity or an affidavit to that effect. The existing rules regarding service of summons and the consequences for non-attendance, as provided in the CPC and CrPC shall apply with respect to service of summons for proceedings conducted by video conferencing.
- 7.2 If a person is examined with reference to a particular document then the summons to witness must be accompanied by a duly certified photocopy of the document. The original document should be exhibited at the Court Point in accordance with the deposition of the concerned person being examined.

8. Examination of persons

- 8.1 Any person being examined, including a witness, shall, before being examined through video conferencing, produce and file proof of identity by submitting an identity document issued or duly recognized by the Government of India, State Government, Union Territory, or in the absence of such a document, an affidavit attested by any of the authorities referred to in Section 139 of the CPC or Section 297 of the CrPC, as the case maybe. The affidavit will inter alia state that the person, who is shown to be the party to the proceedings or as a witness, is the same person, who is to depose at the video conferencing. A copy of the proof of identity or affidavit, as the case may be, will be made available to the opposite party.

- 8.2 The person being examined will ordinarily be examined during the working hours of the concerned Court or at such time as the Court may deem fit.
- 8.3 Where an accused is to be examined through video conferencing. The Court shall provide him adequate opportunity to consult in privacy with their counsel before, during and after the video conferencing.
- 8.4 The Court shall obtain the signature of the person being examined on the transcript once the examination is concluded. The signed transcript will form part of the record of the judicial proceedings. The signature on the transcript of the person being examined shall be obtained in either of the following ways:
 - 8.4.1 If digital signatures are available at both the concerned Court Point and Remote Point, the soft copy of the transcript digitally signed by the presiding Judge at the Court Point shall be sent by the official e-mail to the Remote Point where a print out of the same will be taken and signed by the person examined. A scanned copy of the transcript digitally signed by the Coordinator at the Remote Point would be transmitted by official email of the Court Point. The hard copy of the signed transcript will be dispatched, preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.
 - 8.4.2 If digital signatures are not available, the printout of the transcript shall be signed by the presiding Judge and the representative of the parties, if any, at the Court Point and shall be sent in non-editable scanned format to the official email account of the Remote Point, where a printout of the same will be taken and signed by the person examined and countersigned by the Coordinator at the Remote Point. A non-editable scanned format of the transcript so signed shall be sent by the Coordinator of the Remote Point to the official email account of the Court Point, where a print out of the same will be taken and shall be made a part of the judicial record. The hard copy would also be dispatched preferably within three days by the Coordinator at the Remote Point to the Court Point by recognised courier/registered speed post.
- 8.5 An audio-visual recording of the examination of person examined shall be preserved. An encrypted master copy with hash value and its algorithm/software shall be retained as a part of the record.
- 8.6 The Court may, at the request of a person to be examined, or on its own motion, taking into account the best interests of the person to be examined, direct appropriate measures to protect the privacy of the person examined bearing in mind aspects such as age, gender, physical condition and recognized customs and practices.
- 8.7 The Coordinator at the Remote Point shall ensure that no person is present at the Remote Point, save and except the person being examined and those whose presence is deemed administratively necessary by the Coordinator for the proceedings to continue.
- 8.8 The Court may also impose such other conditions as are necessary in a given set of facts for effective recording of the examination (especially to ensure compliance with Rule 5.6.4).
- 8.9 Where a Required Person is not capable of reaching the Court Point or the Remote Point due to sickness or physical infirmity, or presence of the required person cannot be secured without undue delay or expense, the Court may authorize the conduct of video conferencing from the place at which such person is located. In such circumstances the Court may direct the use of portable video conferencing systems. Authority in this behalf may be given to the concerned Coordinator and/or any person deemed fit by the Court.
- 8.10 Subject to such orders as the Court may pass, in case any party or person authorized by the party is desirous of being physically present at the Remote Point at the time of recording of the testimony, such a party shall make its own arrangement for appearance /representation at the Remote Point.
9. **Exhibiting or Showing Documents to Witness or Accused at a Remote Point**

If in the course of examination of a person at a Remote Point by video conferencing, it is necessary to show a document to the person, the Court may permit the document to be shown in the following manner:

 - 9.1 If the document is at the Court Point, by transmitting a copy or image of the document to the Remote Point electronically, including through a document visualizer; or

- 9.2 If the document is at the Remote Point, by putting it to the person and transmitting a copy/image of the same to the Court Point electronically including through a document visualizer. The hard copy of the document counter signed by the witness and the Coordinator at the Remote Point shall be dispatched thereafter to the Court Point via authorized courier/registered speed post.

10. Ensuring seamless video conferencing

- 10.1 The Advocate or Required Person, shall address the Court by video conferencing from a specified Remote Point on the date and time specified in the order issued by the Court. The presence of the coordinator will not be necessary at the Remote point where arguments are to be addressed by an advocate or party in person before the Court.
- 10.2 If the proceedings are carried out from any of the Remote Point(s) (in situations described in Rules 5.3.1 to 5.3.9) the Coordinator at such Remote Point shall ensure compliance of all technical requirements. However, if the proceedings are conducted from a Remote Point falling in the situation contemplated under Rule 5.3.10, such as an Advocate's office, the Coordinator at the Court Point shall ensure compliance of all technical requirements for conducting video conferencing at both the Court Point and the Remote Point.
- 10.3 The Coordinator at the Court Point shall be in contact with the concerned Advocate or the Required Person and guide them in regard to the fulfilment of technical and other requirements for executing a successful hearing through video conferencing. Any problems faced by such Remote Users shall be resolved by the Court Point Coordinator. The Court Point Coordinator shall inter alia share the link of the video conferencing hearing with such Remote Users.
- 10.4 The Coordinator at the Court Point shall ensure that any document or audio-visual files, emailed by the Remote User, are duly received at the Court Point.
- 10.5 The Coordinator at the Court Point shall also conduct a trial video conferencing, preferably 30 minutes prior to scheduled video conferencing in order to ensure that all the technical systems are in working condition at both the Court Point and the Remote Point.
- 10.6 At the scheduled time, the Coordinator at the Court Point shall connect the Remote User to the Court.
- 10.7 On completion of the video conferencing proceeding, the Court shall mention in the order sheet the time and duration of the proceeding, the software used (in case the software used is not the Designated Video Conferencing Software), the issue(s) on which the Court was addressed and the documents if any that were produced and transmitted online. In case a digital recording is tendered, the Court shall record its duration in the order sheet along with all other requisite details.
- 10.8 The Court shall also record its satisfaction as to clarity, sound and connectivity for both Court Users and Remote Users.
- 10.9 On the completion of video conferencing, if a Remote User is of the opinion that they were prejudiced due to poor video and/or audio quality, the Remote User shall immediately inform the Coordinator at the Court Point, who shall in turn, communicate this information to the Court without any delay. The Court shall consider the grievance and if it finds substance in the grievance may declare the hearing to be incomplete and the parties may be asked to re-connect or make a physical appearance in Court.

11. Judicial remand, framing of charge, examination of accused and Proceedings under Section 164 of the CrPC

- 11.1 The Court may, at its discretion, authorize detention of an accused, frame charges in a criminal trial by video conferencing. However, ordinarily judicial remand in the first instance or police remand shall not be granted through video conferencing save and except in exceptional circumstances for reasons to be recorded in writing.
- 11.2 The Court may, in exceptional circumstances, for reasons to be recorded in writing, examine a witness or an accused under Section 164 of the CrPC or record the statement of the accused under Section 313 CrPC through video conferencing, while observing all due precautions to ensure that the witness or the accused as the case may be is free of any form of coercion, threat or undue influence.

Chapter IV - General Procedure**12. General procedure**

- 12.1 The procedure set out hereafter in this chapter is without prejudice to the procedure indicated elsewhere in these Rules qua specific instances in which proceedings are conducted via video conferencing.
- 12.2 The Coordinator at the Court Point shall ensure that video conferencing is conducted only through a Designated Video Conferencing Software. However, in the event of a technical glitch during a given proceeding, the concerned Court may for reasons to be recorded permit the use of a software other than the Designated Video Conferencing Software for video conferencing in that particular proceeding.
- 12.3 The identity of the person to be examined shall be confirmed by the Court with the assistance of the Coordinator at the Remote Point in accordance with Rule 8.1, at the time of recording of the evidence and the same must be reflected in the order sheet of the Court.
- 12.4 In civil cases, parties requesting for recording statements of the person to be examined by video conferencing shall confirm to the Court, the location of the person, the willingness of such person to be examined through video conferencing and the availability of technical facilities for video conferencing at the agreed upon time and place.
- 12.5 In criminal cases, where the person to be examined is a prosecution witness or a Court witness, or where a person to be examined is a defence witness, the counsel for the prosecution or defence counsel, as the case maybe, shall confirm to the Court the location of the person, willingness to be examined by video conferencing and the time, place and technical facility for such video conferencing.
- 12.6 In case the person to be examined is an accused, the prosecution will confirm the location of the accused at the Remote Point.
- 12.7 If the accused is in custody and not present at the Court Point, the Court will order a multi-point video conference between itself, the witness and the accused in custody to facilitate recording of the statement of the witness (including medical or other expert). The Court shall ensure that the defence of the accused is not prejudiced in any manner and that the safeguards contained in Rule 8.3 are observed.
- 12.8 The Coordinator at the Remote Point shall be paid such amount as honorarium as may be directed by the Court in consultation with the parties.

13. Costs of Video Conferencing

In the absence of rules prescribed by the concerned Court, the Court may take into consideration following circumstances when determining and/or apportioning the costs of video conferencing:

- 13.1 In criminal cases, the expenses of the video conferencing facility including expenses involved in preparing soft copies / certified copies of the Court record and transmitting the same to the Coordinator at the Remote Point and the fee payable to translator / interpreter / special educator, as the case may be, as also the fee payable to the Coordinator at the Remote Point, shall be borne by such party as directed by the Court.
- 13.2 In civil cases, generally, the party making the request for recording evidence, through video conferencing shall bear the expenses.
- 13.3 Besides the above, the Court may also make an order as to expenses as it considers appropriate, taking into account rules / instructions regarding payment of expenses to the complainant and witnesses, as may be prevalent from time to time.
- 13.4 It shall be open to the Court to waive the costs as warranted in a given situation.

14. Conduct of Proceedings

- 14.1 Before the commencement of video conferencing all participants, shall have their presence recorded. However, in case a participant is desirous that their face or name be masked, information to that effect will be furnished to the Court Point Coordinator prior to the commencement of the proceeding.
- 14.2 The Court Point Coordinator shall send the link / Meeting ID / Room Details via the email Id / mobile number furnished by the Advocate or Required Person or other participant permitted to be virtually present by the Court. Once the proceedings have commenced, no other persons will be permitted to participate in the virtual hearing, save and except with the permission of the Court.

- 14.3 The participants, after joining the hearing shall remain in the virtual lobby if available, until they are admitted to virtual hearing by the Coordinator at the Court Point.
- 14.4 Participation in the proceedings shall constitute consent by the participants to the proceedings being recorded by video conferencing.
- 14.5 Establishment and disconnection of links between the Court Point and the Remote Point would be regulated by orders of the Court.
- 14.6 The Court shall satisfy itself that the Advocate, Required Person or any other participant that the Court deems necessary at the Remote Point or the Court Point can be seen and heard clearly and can clearly see and hear the Court.
- 14.7 To ensure that video conferencing is conducted seamlessly, the difficulties, if any, experienced in connectivity must be brought to the notice of the Court at the earliest on the official email address and mobile number of the Court Point Coordinator which has been furnished to the participant before the commencement of the virtual hearing. No complaint shall subsequently be entertained.
- 14.8 Wherever any proceeding is carried out by the Court under these Rules by taking recourse to video conferencing, this shall specifically be mentioned in the order sheet.

15. Access to Legal Aid Clinics/Camps/Lok Adalats/Jail Adalats

In conformity with the provisions of the Legal Services Authorities Act, 1987 and the laws in force, proceedings related to Legal Aid Clinics, Camps, Lok Adalats or Jail Adalats, may also be conducted by way of Video Conferencing.

16. Allowing persons who are not parties to the case to view the proceedings

In order to observe the requirement of an open Court proceeding, members of the public will be allowed to view Court hearings conducted through video conferencing, except proceedings conducted in-camera. The Court shall endeavour to make available sufficient links (consistent with available bandwidth) for accessing the proceedings.

Chapter V – Miscellaneous

17. Reference to Words and Expressions

Words and expressions used and not defined in these Rules shall have the same meaning as assigned to them in the CPC, the CrPC, Evidence Act, IT Act, and the General Clauses Act, 1897.

18. Power to Relax

The High Court may if satisfied that the operation of any Rule is causing undue hardship, by an order dispense with or relax the requirements of that Rule to such extent and subject to such conditions, as may be stipulated to deal with the case in a just and equitable manner.

19. Residual Provisions

Matters, with respect to which no express provision has been made in these Rules, shall be decided by the Court consistent with the interests of justice.

This amendment will come into force with immediate effect.

SCHEDULE I**Request Form for Video Conference**

1. Case Number / CNR Number (if any)
2. Cause Title
3. Proposed Date of conference (DD/MM/YYYY): _____
4. Location of the Court Point(s): _____
5. Location of the Remote Point(s): _____
6. Names & Designation of the Participants at the Remote Point: _____
7. Reasons for Video Conferencing:
In the matter of:
8. Nature of Proceedings: Final Hearing ☐ Motion Hearing ☐ Others ☐

I have read and understood the provisions of High Court of Uttarakhand Video Conferencing Rules, 2020. I undertake to remain bound by the same to the extent applicable to me. I agree to pay video conferencing charges if so, directed by the Court.

Signature of the applicant/authorised signatory:
Date:

For use of the Registry / Court Point Coordinator

A) Bench assigned:
B) Hearing:
 Held on (DD/MM/YYYY):
 Commencement Time:
 End time:
 Number of hours:
C) Costs:
 Overseas transmission charges if any:
 To be Incurred by Applicant /Respondent:
 To be shared equally:
 Waived; as ordered by the Court:
 Signature of the authorised officer:
 Date:

Sd/-
Registrar General

By Order of Hon'ble the Court,

Sd/-
Registrar General.

NOTIFICATION

December 10, 2020

No. 261/UHC/Admin.A/2020--In exercise of the powers conferred by Article 227 of the Constitution of India and all other powers enabling in that behalf, the High Court of Uttarakhand (with the approval of Government of Uttarakhand vide letter no. 348/XXXVI-A-1/2020-345/2020 dated 02.12.2020) makes the following Rules:

The High Court of Uttarakhand Inspection of Subordinate Courts
(by the Administrative Judge) Rules, 2020

Title	1	These rules may be called "The Uttarakhand Inspection of Subordinate Courts (by the Administrative Judge) Rules, 2020.
Commencement	2	These Rules shall come into force with immediate effect.
Definitions	3	<p>In these rules, unless the context otherwise requires:-</p> <p>(i) 'Administrative Judge' means the Administrative Judge of the concerned District, as designated by the Chief Justice.</p> <p>(ii) 'Chief Justice' means the Chief Justice of the High Court of Uttarakhand.</p> <p>(iii) 'District Judge' means Principal District Judge.</p> <p>(iv) 'Family Court Judge' means Principal Judge/ Judge Family Court.</p> <p>(v) 'High Court' means High Court of Uttarakhand at Nainital.</p> <p>(vi) 'Prescribed' means prescribed by these rules.</p> <p>(vii) 'Presiding Officer' means the Judicial Officer presiding over a Subordinate Court.</p> <p>(viii) 'Proforma' means proforma prescribed under these Rules.</p> <p>(ix) 'Registrar' means the Registrar General of the High Court and includes the Registrar (Inspection).</p>
Schedule of Inspection	4	<p>(a) Inspection of Subordinate Courts shall be the matter of Inspection Section of the High Court.</p> <p>(b) Process for inspection shall be initiated by the Inspection Section of the Court, on the directions of the Administrative Judge of the concerned District.</p> <p>(c) The Schedule of inspection as recommended by the Administrative Judge, shall be placed before the Chief Justice for approval. After approval, Schedule of Inspection shall be communicated to all concerned well in advance.</p> <p>(d) The Inspection programme would be communicated to the District Judge Concerned at least three weeks prior to the date of inspection.</p>

		<p>(e) The statement will be prepared in duplicate before the inspection and will be sent to the High Court.</p> <p>(f) Inspection team will reach the concerned District One day prior to the inspection or at such time as directed by the Administrative Judge concerned.</p>
Inspection	5	<p>(a) Every Subordinate Court shall be inspected by the Administrative Judge concerned every year. However, surprise inspection may be carried out at anytime. Ordinarily one day shall be devoted for the inspection of at least 05 Courts. Administrative Judge may visit the Judgeship same day or on the last day of the inspection. Separate dates may be fixed for the inspection of outlying Courts, if any.</p> <p>(b) Inspection, except the surprise inspection shall be comprehensive and shall include all the aspects of Judicial as well as administrative work of concerned Judgeship. It shall also include checking and verification of cash-in-hand lying in the Subordinate Court.</p>
Inspection Notes	6	<p>(a) The inspection Team shall prepare notes of relevant points indicated during inspection.</p> <p>(b) Thereafter, the inspection team shall prepare a draft inspection note, as per prescribed proforma, wherein, all the points noticed during inspection shall be included for perusal of the Administrative Judge.</p> <p>(c) On the visit of the Administrative Judge, the in-charge of inspection team shall place the draft inspection note before the Administrative Judge for perusal and directions.</p>
Inspection by the Administrative Judge	7	<p>All the matters pertaining to the inspection of Subordinate Courts shall be dealt under these Rules, subject to the discretion of the Administrative Judge and shall include as under :-</p> <p>(a) In order to form opinion and make observations regarding functioning of Subordinate Courts on Judicial and Administrative side and to ascertain problems, if any, the Administrative Judge may visit the Court premises, its Offices and interact with the Presiding Officer, the staff, the representative of the Bar Association, the litigants and members of the general public.</p> <p>(b) Inspection Team will prepare notes after verifying each and every register and point out the defects and omissions and bring the same to the notice of the Presiding Officer concerned to enable him to issue instructions to the staff to rectify the defects and to furnish the compliance report.</p>

Inspection Report	8	<p>(a) The inspection report shall be prepared in accordance with the prescribed proforma and shall include the guidelines or instructions, if any, issued during inspection and shall be submitted to the Administrative Judge, for approval.</p> <p>(b) On perusal by the Administrative Judge, the Inspection report along-with the gist report shall be placed before the Chief Justice, for perusal and directions.</p> <p>(c) The defects and deficiencies, if any, identified during inspection, shall be conveyed to the Presiding Officer of the concerned Subordinate Court for rectification and compliance through District Judge.</p>
Procedure for compliance	9	<p>(a) On receipt of the communication from the High Court under Rule-8(c), the Presiding Officer of the Subordinate Court concerned, shall take appropriate steps for removal and rectification of the defects and deficiencies and compliance of the guidelines and instructions issued thereunder.</p> <p>(b) The compliance report shall be submitted to the Court Registrar General, within 30 days from the receipt of the communication from the High Court duly forwarded by the concerned District Judge.</p> <p>(c) On receipt of the compliance report and the comments, under clause (b), the Registrar Inspection shall place the same before the Administrative Judge, for perusal and further directions, if any.</p>
Residuary Powers	10	Nothing in these Rules shall be deemed to affect the 'powers' of the High Court to make such orders from time to time as it may deem fit, in-giving to any of the provision of these Rules.

By Order of Hon'ble the Court,

Sd/-

Registrar General.